DOCUMENT RESUME

ED 361 246 SO 022 910

AUTHOR	Bol, Joyce H.
TITLE	Freedom of Speech and the Role of Government: A Comparative Study - USA vs. Indonesia.
SPONS AGENCY	Center for International Education (ED), Washington, DC.
PUB DATE	91
NOTE	22p.: Requirement curriculum unit for the 1991 Fulbright-Hays seminar in Indonesia.
PUB TYPE	Guides - Classroom Use - Teaching Guides (For Teacher) (052)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	Area Studies; *Censorship; *Citizenship Education; Comparative Analysis; Cooperative Learning; Curriculum Development; Foreign Countries; *Freedom of Speech; Global Approach; *Government Role; High Schools; High School Seniors; Press Opinion; Secondary School Curriculum
IDENTIFIERS	Bill of Rights; Global Education; *Indonesia

ABSTRACT

This curriculum unit for high school government or civic classes was developed as a requirement of a Fulbright-Hays Fellowship seminar in Indonesia. It deals with aspects of political control that the government exercises over citizen rights. The unit compares the situation in the United States, where the Bill of Rights guarantees the freedom of speech and expression, with that in Indonesia. Indonesia is considered a developing nation that is making steady economic progress, but its political structure does not allow for much freedom of expression in the public domain. Government, especially the head of government, the president, exercises an important role over the social, economic, and political life of the Indonesian people. The focus of the unit asks: if the political and legal structure of a country does contain some mechanism like the First Amendment that is designed to protect the rights of the individual vis a vis the government, how pervasively can that government permeate the social and economic life of its citizens? The unit is very skill oriented, using the cooperative learning approach as much as possible. Learning objectives include: (1) analyze the First Amendment of the Bill of Rights; (2) analyze political cartoons; (3) analyze editorials; (4) analyze news articles; (5) hypothesize about social, political, and economic conditions in Indonesia; and (6) compare and contrast the different societies, the United States and the Republic of Indonesia. Procedures for using the unit are suggested. Handouts include U.S. political cartoons, an interview with an Indonesian newspaper editor, newspaper and magazine articles, and questions for students. (DK)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED 361 246

FREEDOM OF SPEECH AND THE ROLE OF GOVERNMENT:

A Comparative Study --- USA vs. Indonesia

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☒ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

JOYCE H
BOL

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

SO 022 910

CURRICULUM UNIT FOR HIGH SCHOOL GOVERNMENT OR CIVIC CLASSES

requirement for the 1991
Summer Fulbright-Hayes Seminar in Indonesia

by Joyce H. Bol
Amherst High School
Amherst, New York 14226

FREEDOM OF SPEECH AND THE ROLE OF GOVERNMENT: A Comparative Study -USA vs. Indonesia

INTRODUCTION:

Americans often take for granted the concept of freedom of speech and expression as guaranteed to them by the first amendment of the Bill of Rights. As a teacher of seniors in high school, I often sense a blase attitude among my students towards the meaning of the first amendment and its uniqueness when compared to the dearth of rights and privileges citizens have in other countries such as the Republic of Indonesia. High school seniors also are frequently ignorant of the role of the American government in the lives of its citizens when compared to the more pervasive role of governments in countries like Indonesia.

As a teacher of high school seniors, I include a study of the First Amendment and the role of government in my semester Government classes. This is especially important in 1991 because we are celebrating the 200th anniversary of the Bill of Rights.

Students must complete a course entitled "Participation in Government" for graduation in New York State. This course includes a study of local, state and national government structures, public policy issues, the court systems at the local, state and national levels, and an analysis of the First, Second, Fourth and Fourteenth Amendments to the American Constitution.

BACKGROUND OF THIS CURRICULUM UNIT:

In the summer of 1991, I was the recipient of a Fulbright-Hays Fellowship in the Republic of Indonesia. This country, considered a developing nation, is making steady economic progress, but its political structure does not allow for much freedom of expression in the public domain.
Government, especially the head of government, President Suharto, exercises an important role over the social, economic and political life of the Indonesian people. This curriculum will deal with aspects of political control the government exercises with the question of citizen rights.

This curriculum unit focuses on the following questions:
If the political and legal structure of a country does contain some mechanism like the First Amendment which is designed to protect the rights of the individual vis-a-vis the government, how pervasively can that government permeate the social and economic life of its citizens?

During my six-week stay, I was able to collect newspaper articles from the daily English newspaper called the Jakarta Post. Numerous lecturers from the major universities of Indonesia and representatives from the public and private sectors addressed our group on topics relating to freedom of speech, the press, and expression in general. The highlight of this was a visit to the office of Mr. Aristides Katoppos, senior editor of Suara Pembaruan whose newspaper was closed down for some time in the 1970's and in 1986 due to the printing of material undesirable to the government censors. He was quite frank in his presentation.

LEARNING OBJECTIVES:

This unit is very skill oriented, using the Cooperative Learning Appproach as much as possible.

1. analyze the First Amendment of the Bill of Rights
2. analyze political cartoons
3. analyze editorials
4. analyze news articles
5. hypothesize about social, political and economic conditions in the Republic of Indonesia
6. compare and contrast different societies: USA vs. the Republic of Indonesia

RECOMMENDED TIME ALLOTMENT:

Depending on the ability of the students, this unit could be completed in four to seven days.

SUGGESTED PROCEDURE FOR USING THIS CURRICULUM UNIT:

1. Give students the questionnaire for homework under Appendix A.
2. Divide the class into groups of three or four and have students discuss within each group the results of the homework assignment.
   Discuss with entire class. Give students a copy of the exact wording of the First Amendment and an interpretation of its meaning. (one class period)

3. For homework, have students find an editorial in an American newspaper, and complete the worksheet under Appendix "B". (Explain to students the difference between a news article and an editorial.)
4. In class, teacher can solicit from students the analyses of the various editorials. (one class period)
5. For homework, have students analyze the cartoons using the worksheet under Appendix "C" relating to some of the recent problems associated with the First Amendment.
6. In groups of three or four, have students share their analyses of the political cartoons, then discuss the cartoons with the entire class. (one class period)
7. Give students a copy of the interview with Aristides Katoppos and discuss the interview with the entire class. Focus on what can and cannot be printed in Indonesian newspapers. Have students speculate about the reasons for government control over the news.
8. For homework, have students read articles from Indonesian newspaper and complete worksheet under Appendix "E".
9. As a concluding activity, have students compare and contrast societies that enjoy freedom of speech and expression with those that do not. Use Appendix A as a basis. Allow one class class day for a free-flowing discussion.

APPENDIX A: FREEDOM OF SPEECH AND EXPRESSION

directions: Complete the following questions within your group.

1. What does the First Amendment mean to you as a citizen of the USA?

2. In general, do you think Americans have too much freedom of speech or too little? Explain.

3. Do you think freedom of expression is an essential political ingredient necessary for a democratic society? Explain fully.

4. Do you think freedom of expression is an essential ingredient for social and economic development in a particular society? Explain and give reasons for your answers.

5. Do you think freedom of expression is a basic human right? Explain.

6. Hypothesize about the power government would enjoy over society if freedom of expression was denied to its citizens.

7. Hypothesize about the power government would enjoy over economy if freedom of expression was denied to its citizens.

8. In your opinion, why would certain states, such as Indonesia, not allow freedom of speech and expression?

9. What does Thomas Jefferson mean by the following:

> I know no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education.

APPENDIX B: ANALYZING AMERICAN NEWS EDITORIALS

directions: complete the questions below based on an editorial of your choice.

1. Summarize the subject matter of the editorial.

2. What is the opinion of the writer concerning this subject?

3. What is YOUR opinion on this issue?

4. In what way, if any, does the editorial writer relate this issue to the government?

APPENDIX C: ANALYSIS OF AMERICAN POLITICAL CARTOONS

directions: Complete each set of questions for each of the cartoons.

1. Explain the message of EACH political cartoon, and in particular, explain whatproblem related to the First Amendment each cartoon refers to.

2. How do each of the political cartoons support the American right to freedom of expression?

First Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech,* or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

* EXCEPT BURNING A FLAG, OR A PICTURE THEREOF OR A CROSS, (OR BIBLE) OR THE SACRED SYMBOL OF ANY RELIGION OR OTHERWISE DESECRATING OR GESTURE (OR ARTWORK) OR STATEMENT THAT IS BLASPHEMOUS TO THE FLAG, OR RELIGION OR ETHNIC GROUP, OR INCITING TO VIOLENCE AGAINST SUCH FLAG OR GROUP OR THAT IS DEEPLY OFFENSIVE TO A MAJORITY OF THE BODY POLITIC OR MOCKING OR AN IMPORTANT RELIGION MINORITY AND VALUES OR CHALLENGES OPENLY THE SHARED LAWS, CUSTOMS AND ASSUMPTIONS OF THE CITIZENRY OR ARMED FORCES OR THE TRADITIONS, PRACTICES AND PERSONAGES THEREOF AND OR THE G
TOLES
UNIVERSAL PRESS SYND.
©1989 THE BUFFALO NEWS
GOTTEN TO THIS CARTOON YET?

#1

© 1989 MIKE LUCKOVICH—ATLANTA CONSTITUTION

#2

SSERGNOC LLAHS EKAM ON WAL~ :
GNIGDIRBA EHT MODEERF FO HCEEPS"'
THIS RAP RECORD IS FRAUGHT WITH SATAN WORSHIP AND CRUDE SEXUAL REFERENCES!
THAT'S NOTHING, YOUR HONOR! LISTEN TO THIS FILTH PLAYED BACKWARDS!
CONGRESS SHALL MAKE NO LAW... ABRIDGING THE FREEDOM OF SPEECH"'

BEST COPY AVAILABLE

APPENDIX D:

INTERVIEW WITH ARISTIDES KATOPPOS, SENIOR EDITOR OF SUARA PENBARUAN, JAKARTA, REPUBLIC OF INDONESIA

1. DOES INDONESIA HAVE A CONSTITUTION WITH A BILL OF RIGHTS AS WE DO IN THE USA?

Well, we certainly have a constitution since 1947 when we gained our independence from the Netherlands, but our government has not yet included a Bill of Rights defining rights for its citizens.

2. IS INDONESIA NOT A DEMOCRATIC COUNTRY?

It depends how you interpret "democracy". We have a "guided democracy". We have a duly elected parliament, and a three-party system. Our president, Suharto, has been in power since 1965. He is up for re-election again in 1993. Decision making in our country, however, is limited to a few military people, technocrats, bureaucrats, and economists, and the final decisions in terms of new laws are made by our president, Suharto, not by parliamentary approval as occurs in the USA.

3. IF YOU DO NOT HAVE A FIRST AMENDMENT, OR FREEDOM OF EXPRESSION IN INDONESIA, WHAT IS ALLOWED TO BE PRINTED?

Oh, my journalists cover a wide range topics dealing with economic development, agricultural programs, rural development, family planning, environmental concerns, role of education, etc.

4. THAT SEEMS LIKE A WIDE RANGE OF TOPICS; DOES THE GOVERNMENT FORBID ANY TOPICS?

Of course, there are certain sensitive areas which are not to be written about, such as our religions, ethnic groups, race, intergroup relations, the role of the military, and the president and his family.

5. COULD YOU ELABORATE ON SOME OF THESE TOPICS?

For example, Indonesia has four religions. Most of the people belong to the Islamic religion, but on the island of Bali, Hinduism is the dominant religion. Other minor religions are Christianity and Buddhism. Our journalists do not write about possible circumstances that might emphasize religious differences.

6. DO CONFLICTS EXIST BETWEEN THESE RELIGIOUS GROUPS?

Not necessarily because the Indonesian government stresses harmony amidst diversity. It is part of our political philosophy, called the Pancasela which is taught to every school child.

7. HOW DOES THE INDONESIAN GOVERNMENT CONTROL THE PRESS?

In various ways, really. Although Indonesian law says that no license is required to start a newspaper, in truth, newspapers need a license from the government censorship office. This license can be revoked. Furthermore, a newspaper can be closed by the government if it so desires. My newspaper was closed in the 1970's and again in 1986. In 1986 an offensive article on monopolies controlled by the presidential family was published. The newspaper was allowed to open again, but under a new name, the present name.

8. WHAT ELSE CAN THE GOVERNMENT DO TO CENSOR NEWS?

Government officials will to convey to me, as senior editor, that certain events ought not to be reported on.

9. WOULD YOU CALL THAT INTIMIDATION?

You can call it what you like. I want to assure you that our readers often pick up important information "between the lines" so to speak. Certain criticism of the government might not be specifically written about, but readers can get the general gist.

10. I UNDERSTAND THAT INDONESIA HAS A LITERACY RATE OF ABOUT 55%. HOW MANY NEWSPAPERS EXIST IN INDONESIA? DO THEY REPRESENT CERTAIN GROUPS?

First of all, we have few nation-wide newspapers. Many local papers exist on the various islands which make up our country. Local newspapers are usually freer to write on national issues, but more restricted when it comes to local issues. On the contrary, in the capital, Jakarta, we have twemnty newspapers. Many are sponsored by a segment of society, such as the Roman Catholic Constituency, the army, the three political parties, etc. Jakarta newspapers have more freedom to write about local issues that occur in other parts of Indonesia, and are more restricted when it comes to issues pertaining to the central government.

11. DOES AN UNDERGROUND PRESS EXIST?

Oh yes, but it is not very widespread and not very active.

12. WHAT ABOUT NEWS ON TELEVISION AND RADIO?

Television and radio news reports are all centrally controlled by the government. Every hour, all television and radio stations stop their programs and broadcast the same news which originates from the government station. Each television station carries exactly the same national and international news.

13. WHAT ABOUT CENSORSHIP OF BOOKS?

After printing a book, a publishing company has to send a copy for approval to the Attorney General Office.

14. ANY FURTHER COMMENTS YOU WOULD LIKE TO MAKE ABOUT DEMOCRACY OR THE ROLE OF GOVERNMENT OR PROBLEMS IN INDONESIA TODAY?

Unless democracy is participatory, the potential of energy and innovation of its people cannot be developed.

Indonesia is developing fast economically; the middle class is rising by leaps and bounds. However, with economic development has come a widening of the gap between the rich and the poor. The government is attempting to develop some programs to narrow this gap so as to have more equity for its people. With economic growth has to come social and economic equity and social justice.

APPENDIX E: ANALYSES OF INDONESIAN NEWS

THE ROLE OF GOVERNMENT GOVERNMENT

directions: Complete all questions below on each of the articles.

1. Give a general summary of the articles.

2. What can you learn about the economic conditions of Indonesia based on these articles?

3. What can you learn about the social conditions of Indonesia based on these articles?

4. Explain the role of government in each of these articles.

JAKARTA POST
JULY 30, 1972

MP: Pronk must not intervene in RI's domestic policy

By Our Reporter

Members of Parliament (DPR) considered the visit of JP Pronk to the sites of development projects here beneficial, but said that he must not intervene in Indonesian policy for development programmes.

MPs of three parties, Golkar, PPP and PDI commented yesterday on the visit of the Dutch Minister for Development Cooperation, JP Pronk, to Maluku island this week. Two months ago JP Pronk, Chairman of the Inter-Governmental Group for Indonesia was on Indonesia, inspecting the programme for kampung rehabilitation in Jakarta.

Syaiful Anwar Husein of the PPP and Aberson Marley Sihaloho said separately that, as Chairman of the IGGI, it is normal for JP Pronk to inspect projects financed by IGGI. Oka Mahendra of Golkar said that, under the open system policy, the Chairman of the IGGI may inspect Indonesian projects, but it is not necessarily that he knows everything in detail about them. The MP said that Indonesia needs foreign loans for development projects, but this does not mean that the country's policy was under the supervision of other countries.

"We do not need to be taught about social gaps or about environmental problems. The DPR has always called on the government about these questions, but with little response." Oka said that the authorities react to people's aspirations usually after complaints had been made through JP Pronk. This condition, he said, could cause people to lose faith in their legislators.

Syaiful Anwar Husein noted that, despite criticism about the implementation of projects here, the IGGI is still giving priority to Indonesia by allocating funds of US$ 4.7 billion this year. It is logical, the MP said, that the organisation records the results of development projects and their effect on the welfare of Indonesia's 180 million people. (HS/01)

Domination of imported films to be studied

JAKARTA (JP): Minister of Home Affairs Rudini will establish a team to find out whether provincial administrators have done too little against the domination by imported films over domestic motion pictures, says a film director.

Eros Djarot said yesterday the team would comprise Rudini's staff members and representatives of Association of Film and Television Workers (KFT) and Indonesians Film Artists Association (Parfi).

Yesterday's meeting between KFT and Parfi leaders and the minister took place about two weeks after 100 film artists and workers lodged a protest with the House of Representatives (DPR) against a contract between a United States firm and a local film distributor.

Djarot, spokesperson of the two organizations, said: "In the meeting with the DPR, we were told that all things (concerning film distribution) are related to provincial administrations."

Speaking to reporters after they met with Rudini, Djarot said the government should take efforts to maintain the decision made jointly by the Minister of Information, the Minister of Education and Culture, and the Minister of Home Affairs.

The decision, made in 1973, entails that all cinemas in Indonesia should play no less than two domestic films in a month.

"All cinemas had only one screen when the inter-ministerial decision was made. Since many cinemas now have more than one screen, there should be proper ratio for domestic motion pictures," said Djarot, who had won several international awards for his film *Cut Nyak Dien*.

Djarot said the government should maintain the policy that imported motion pictures were merely supplementary to domestic films.

Indonesia's film artists complain that monopoly practices in the film industry in Indonesia have come up because the government has not properly enforced the inter-ministerial decision.

A newly-assigned motion picture trading contract between the Motion Picture Export Association of America (MPEAA) and the Subentra group, led by prominent businessman Sudwikatmono had encouraged the 100 film artists and workers to lodge a protest with the DPR.

Djarot told the DPR members: "We urgently demand that the practice of monopoly in the film industry be abolished as it violates the constitution and the Basic Guidelines of State Policy (GBHN)."

Among those accompanying Djarot in the meeting with Rudini were KFT's general chairman Sophan Sophian and Aspar Paturisi, a parfi leader.

JAKARTA POST. JUN 25, 1991

Govt will expand power generation

JAKARTA (JP): The government plans to increase the country's power generation capacities by about 11,000 megawatts (MW) during the Sixth Five Year Development Plan (Repelita VI) period to start in April, 1994, in an anticipation to the sharply rising demand for electricity.

Minister of Mines and Energy Ginandjar Kartasasmita said yesterday that increases in electricity capacities were very important to prevent the country from being burdened with an electricity crisis as a result of the faster-than-expected rate in electricity consumption.

In the first and second year of the current Repelita V period alone, for example, electricity utilization grew by 17 and 17.2 percent, respectively, as compared to a projection of only 15.3 and 15.1 percent, he said.

Speaking at the sixth convention of the chemical section of the Indonesian Engineers' Association (PII) in Surabaya, East Java, Ginandjar said that the sharply rising growth in consumption resulted in the inability of the State Electricity Company (PLN) in securing an adequate supply of electricity.

He said that building new power stations with combined additional capacities of about 11,000 MW required a large amount of investments, while on the other hand the government was short of funds, the private sector was expected to play a major role in the implementation of these expansion projects.

"The government has allocated about 46.33 percent in the establishment of new power stations to the private sector," Ginandjar said as was quoted by the *Antara* news agency.

Nuclear power

In a related development, Ginandjar said that the government was currently in the process of exploring the possibility of utilizing nuclear energy to generate electricity like those already developed in industrialized countries.

"We are interested in developing nuclear power stations because the availability of a large amount of raw materials in the world is expected to help stabilize prices of the electricity product," he said.

However, establishing nuclear power plants was very expensive while their safety depended not only on their technology but also on technicians in charge of operating the facilities, he said.

Ginandjar said based on data of a study, Java was projected to suffer electricity shortages amounting to 1,362 MW in the year 2010/11 and jumping to 7,625 MW in 2015/15.

The data were calculated under an assumption that installed capacities in power stations using hydro, geothermal, coal-fired and combined cycle technologies could no longer be expanded because the availability of their raw materials was limited and they were considered not economically viable anymore, he said.

If this assumption turned out to be real, Indonesia should have established at least one nuclear power station by the year 2005 and should have built one similar plant in every two years until the year 2015, he said.

"The problems now are how to improve our technological skills and capabilities as to how to operate nuclear power stations properly in an effort to enable us to build nuclear power plants at a time when we need such facilities," he added.

RECOMMENDED PUBLICATIONS:

Freedom of Speech, Where to Draw the Line, National Issues Forums, The Domestic Policy Association, 100 Commons Road, Dayton, Ohio 45459-2777.

Gary Wills, In Praise of Censure, Time, July 31, 1989, (see attached)

Essay

Garry Wills

In Praise of Censure

Rarely have the denouncers of censorship been so eager to start practicing it. When a sense of moral disorientation overcomes a society, people from the least expected quarters begin to ask, "Is nothing sacred?" Feminists join reactionaries to denounce pornography as demeaning to women. Rock musician Frank Zappa declares that when Tipper Gore, the wife of Senator Albert Gore from Tennessee, asked music companies to label sexually explicit material, she launched an illegal "conspiracy to extort." A *Penthouse* editorialist says that housewife Terry Rakolta, who asked sponsors to withdraw support from a sitcom called *Married . . . With Children*, is "yelling fire in a crowded theater," a formula that says her speech is not protected by the First Amendment.

But the most interesting movement to limit speech is directed at defamatory utterances against blacks, homosexuals, Jews, women or other stigmatizable groups. It took no Terry Rakolta of the left to bring about the instant firing of Jimmy the Greek and Al Campanis from sports jobs when they made racially denigrating comments. Social pressure worked far more quickly on them than on *Married . . . With Children*, which is still on the air.

The rules being considered on college campuses to punish students for making racist and other defamatory remarks go beyond social and commercial pressure to actual legal muzzling. The right-wing *Dartmouth Review* and its imitators have understandably infuriated liberals, who are beginning to take action against them and the racist expressions they have encouraged. The American Civil Liberties Union considered this movement important enough to make it the principal topic at its biennial meeting last month in Madison, Wis. Ironically, the regents of the University of Wisconsin had passed their own rules against defamation just before the ACLU members convened on the university's campus. Nadine Strossen, of New York University School of Law, who was defending the ACLU's traditional position on free speech, said of Wisconsin's new rules, "You can tell how bad they are by the fact that the regents had to make an amendment at the last minute exempting classroom discussion! What is surprising is that Donna Shalala [chancellor of the university] went along with it." So did constitutional lawyers on the faculty.

If a similar code were drawn up with right-wing imperatives in mind—one banning unpatriotic, irreligious or sexually explicit expressions on campus—the people framing Wisconsin-type rules would revert to their libertarian pasts. In this competition to suppress, is regard for freedom of expression just a matter of whose ox is getting gored at the moment? Does the left just get nervous about the Christian cross when Klansmen burn it, while the right will react only when Madonna flirts crucifixes between her thighs?

The cries of "un-American" are as genuine and as frequent on either side. Everyone is protecting the country. Zappa accuses Gore of undermining the moral fiber of America with the "sexual neuroses of these vigilant ladies." He argues that she threatens our freedoms with "connubial insider trading" because her husband is a Senator. Apparently her marital status should deprive her of speaking privileges in public—an argument Westbrook Pegler used to make against Eleanor Roosevelt. *Penthouse* says Rakolta is taking us down the path toward fascism. It attacks her for living in a rich suburb—the old "radical chic" argument that rich people cannot support moral causes.

There is a basic distinction that cuts through this free-for-all over freedom. It is the distinction, too often neglected, between censorship and censure (the free expression of moral disapproval). What the campuses are trying to do (at least those with state money) is use the force of government to contain freedom of speech. What Donald Wildmon, the free-lance moralist from Tupelo, Miss., does when he gets Pepsi to cancel its Madonna ad is censure the ad by calling for a boycott. Advocating boycotts is a form of speech protected by the First Amendment. As Nat Hentoff, journalistic custodian of the First Amendment, says, "I would hate to see boycotts outlawed. Think what that would do to Cesar Chavez." Or, for that matter, to Ralph Nader. If one disapproves of a social practice, whether it is racist speech or unjust hiring in lettuce fields, one is free to denounce that and to call on others to express their disapproval. Otherwise there would be no form of persuasive speech except passing a law. This would make the law coterminous with morality.

Equating morality with legality is in effect what people do when they claim that anything tolerated by law must, in the name of freedom, be approved by citizens in all their dealings with one another. As Zappa says, "Masturbation is not illegal. If it is not illegal to do it, why should it be illegal to sing about it?" He thinks this proves that Gore, who is not trying to make raunch in rock illegal, cannot even ask distributors to label it. Anything goes, as long as it's legal. The odd consequence of this argument would be a drastic narrowing of the freedom of speech. One could not call into question anything that was not against the law—including, for instance, racist speech.

A false ideal of tolerance has not only outlawed censorship but discouraged censoriousness (another word for censure). Most civilizations have expressed their moral values by mobilization of social opprobrium. That, rather than specific legislation, is what changed the treatment of minorities in films and TV over recent years. One can now draw oppro-